

Notice of Allowability

Application No.

10/715,336

Examiner

ALI ALLAWI

Applicant(s)

FRY ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Papers filed on 11/17/2003.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date See Office Action
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Gregory J. Trosky, Jr.
Supervisory Patent Examiner

DETAILED ACTION

Information Disclosure Statement

The information disclosure statements filed on 05 April 2004, and 21 May 2004 have been entered and reference considered by the examiner.

Allowable Subject Matter

Claims 1-31 are allowable subject matter. The following is a statement of reasons for indication of allowable subject matter: the prior art of record, taken alone or in combination, fails to disclose or render obvious an apparatus and method for direct measurement of absorption and scattering coefficients in situ that comprise introducing light into a cavity between a first diffusive material and a second diffusive material, wherein at least some of the light in the cavity passes into the first and second diffusive material and at least some of the light passing into the second diffusive material passes through a transparent material proximate to the second diffusive material and into an absorptive material, measuring a first intensity comprising the intensity of the light in the first diffusive material, measuring a second intensity comprising the intensity of the light in the second diffusive material, determining an absorption coefficient for the absorptive material based on the first and second intensity measurements, as in claims 2 and 9, and determine a scattering coefficient for the absorptive material based on a third diffused light intensity measured by the second light detectors in the second diffusive medium, wherein the third light intensity is measured while the absorptive material is illuminated by the collimated beam from the second light, as in claims 1, 17, and 24, in combination with the rest of the limitations of the claims.

Additional Prior Art

The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The references listed in the attached form PTO-892 teach of other prior art that may anticipate or obviate the claims of the applicant's invention.

Conclusion

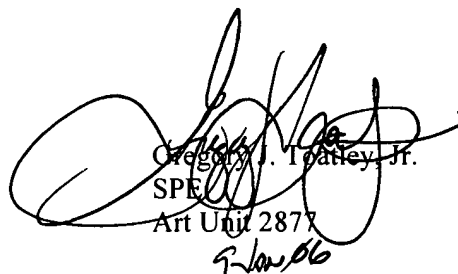
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Allawi whose telephone number is **571 272 8285**. The examiner can normally be reached on Monday through Friday, 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on **571 272 2800 ext. 77**. The fax phone number for the organization where this application or proceeding is assigned is **571 273 8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AA
12/12/2005



Gregory J. Toatley, Jr.
SPE
Art Unit 2877
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